

Message Text

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ORIGIN DLOS-09

INFO OCT-01 EUR-12 EA-07 ISO-00 SIG-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05 FEAE-00
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00
L-03 NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01
PM-04 PRS-01 SP-02 SS-15 USIA-06 CAB-02 FAA-00
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R 072141Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW
AMEMBASSY JAKARTA
AMEMBASSY TOKYO
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY KUALA LUMPUR
AMEMBASSY SINGAPORE

S E C R E T STATE 078168

E.O. 11652: XGDS-1

TAGS: PLOS

SUBJECT:LOS CONSULTATION-STRAITS AND ARCHIPELAGOES

1. IN RESPONSE TO A REQUEST FROM AMBASSADOR ELLIOT
RICHARDSON FOR INFORMATION ON THE RECENT SOVIET-
INDONESIAN TALKS FIRST SECRETARY ALEXANDER KOKOREV OF
THE SOVIET EMBASSY CALLED ON MR. FRANK HODSOLL, DIRECTOR,
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D/LOS ON FRIDAY, APRIL 1.

2. MR. KOKOREV PASSED THE FOLLOWING INFORMATION. QUOTE
DURING THE SOVIET-INDONESIAN CONSULTATIONS IN MOSCOW THE
SOVIET SIDE ADHERED TO THE REACHED AGREEMENTS ON UNHAMPERED
PASSAGE OF ALL SHIPS AND AIRCRAFT THROUGH THE WATERS OF
ARCHIPELAGO STATES.

PROCEEDING FROM ITS WELL KNOWN POSITION OF REVISING THE RELEVANT ARTICLES OF THE DRAFT CONVENTION ON ARCHIPELAGO STATES THE INDONESIAN SIDE, HOWEVER, DEMONSTRATED DURING THE CONSULTATIONS A CERTAIN DESIRE FOR REACHING A MUTUAL UNDERSTANDING ON CONCRETE WORDINGS WHICH WOULD PROVIDE FOR UNHAMPERED TRANSIT PASSAGE OF ALL SHIPS AND WOULD PROTECT THE INTERESTS OF A COASTAL ARCHIPELAGO STATE. THE INDONESIAN SIDE REAFFIRMED ITS POSITION THAT WITH RESPECT TO STRAITS USED FOR INTERNATIONAL NAVIGATION

IT WOULD NOT INSIST ON "INNOCENT PASSAGE" REGIME AND IT AGREED TO SUPPORT AN UNHAMPERED TRANSIT PASSAGE FORMULA. THEY CONDITIONED SUCH AGREEMENT UPON A MUTUALLY ACCEPTABLE SETTLEMENT OF THE QUESTION OF WATERS REGIME AND OF RIGHTS OF ARCHIPELAGO STATES WHICH THEY CONSIDER TO BE THEIR FIRST PRIORITY NATIONAL PROBLEM.

IN THE COURSE OF THE CONSULTATIONS THE INDONESIAN SIDE STATED IT HAD NO OBSERVATIONS ON OR AMENDMENTS TO ARTICLES 118, 120-123, PART II, OF THE REVISED TEXT. ON ARTICLES 119, PARAGRAPH 2, THEY HAVE AGREED TO THE COMPROMISE PROPOSALS TO THE EFFECT THAT THE BASELINES LENGTH SHOULD NOT EXCEED 100 NAUTICAL MILES PROVIDED THAT 3 PER CENT OF THEIR TOTAL NUMBER CAN BE 125 NAUTICAL MILES. THEY CONSIDER IT A SIGNIFICANT CONCESSION TO ARCHIPELAGO STATES.

THEY HAVE NOT CHANGED YET THEIR FORMER POSITION OF
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THE WIDTH OF SEALANES (2U NAUTICAL MILES).

ON ARTICLE 124, PARAGRAPH 1, THE INDONESIAN SIDE STATED AT THE FINAL STAGE OF THE CONSULTATIONS THAT IT WAS PREPARED TO ACCEPT AS A COMPROMISE THE WORDING WHICH WOULD PROVIDE THAT SUBJECT TO THE OBSERVANCE OF ARTICLE 125 AND WITHOUT PREJUDICE TO ARTICLE 122 SHIPS OF ALL STATES SHALL ENJOY THE RIGHT OF INNOCENT PASSAGE THROUGH ARCHIPELAGO WATERS IN ACCORDANCE WITH PART 3, CHAPTER 1, TAKING INTO CONSIDERATION THE CORRESPONDING LINES USED BY FOREIGN SHIPS FOR TRANSIT.

ON ARTICLE 125, PARAGRAPH 3, THE SOVIET SIDE INSISTED ON THE RETAINING IN ARCHIPELAGO PASSAGE DEFINITION OF PROVISIONS ON CONTINUOUS, UNHAMPERED AND NORMAL TRANSIT BETWEEN PARTS OF HIGH SEA BEYOND THE TERRITORIAL WATERS.

THE INDONESIAN SIDE AGREED TO INCLUDE THE WORD "NORMAL". THEY WOULD ACCEPT THE WORD "BESPREPYATSTVSNNIY"

IF IT IS TRANSLATED INTO ENGLISH AS "UNHAMPERED" OR
"UNOBSTACLED".

WITH RESPECT TO THE RIGHT OF ARCHIPELAGO AIRCRAFT
PASSAGE (ARTICLES 125, PARAGRAPH 2) THE INDONESIAN SIDE
AGREED TO THE FORMULA WHICH PROVIDES THAT TRANSIT CIVIL
AIRCRAFT WOULD FOLLOW THE INTERNATIONAL CIVIL AVIATION'S
ESTABLISHED RULES ON NAVIGATION AND SAFETY.

THEY INSISTED THAT AN ARCHIPELAGO STATE COULD
REQUIRE AN ADVANCE CLEARANCE FOR WARSHIPS PASSAGE BEYOND
SEALANES AND FOR AIRCRAFT PASSAGE BEYOND THE AGREED AIR
ROUTES.

WITH RESPECT TO THE PROCEDURE OF PRESCRIBING TRAFFIC
SEPARATION SCHEMES (ARTICLE 125, PARAGRAPH 9), THE
INDONESIAN SIDE STATED THAT IT COULD ACCEPT A COMPROMISE
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PROVISION UNDER WHICH AN ARCHIPELAGO STATE, IN PRESCRIBING
SUCH SCHEMES, WOULD BE GUIDED BY THE RECOMMENDATIONS OF
THE COMPETENT INTERNATIONAL ORGANIZATION AND INTER ALIA
WOULD TAKE INTO ACCOUNT THE CHANNELS USUALLY USED BY
INTERNATIONAL NAVIGATION, SPECIFIC CHARACTERISTICS OF
CONCRETE CHANNELS AS WELL AS VARIOUS SIZES AND DISPLACE-
MENTS OF SHIPS. UNQUOTE
VANCE

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Message Attributes

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Disposition Approved on Date:
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